

Polk County Observer

THE HOME PAPER

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NO. 94

INNOCENT LOOSES LOT

A YAMHILL MAN LOOSES A PORTLAND PIECE OF PROP- ERTY VALUED AT \$1,000

Ignorant of the Oregon Law Caused an Innocent Man This Loss.

The following from the Portland Journal should be read by every lot owner and they should profit by the victim's experience.

It shows how easy an unscrupulous contractor and a real estate shark could swindle the innocent. The contractor takes no chance according to this article of his money and he can place the value of his work at any old price and as he has the lot to insure him of his wages and also the law to help him in his scheme it behoves all lot owners who do not want to commit murder to see that the agent who handles their property is bound in writing not to accept a partial payment on their property unless the would be purchaser gave bond not to commence improvements without the consent of the owner.

S. D. Crawford, 76 years old, who lives at McMinnville, used to own a lot out at North Belle Crest, one of the Rose City Park subdivisions. Mr. Crawford doesn't own this lot any longer, although he has never signed a deed conveying the lot to any one else, nor was it taken from him by a court procedure because of any debts that he personally owed.

He lost it through the operations of the building material lien law. He lost it almost over night and was the most astonished man in the state when he found it out. He doesn't understand yet how it came about and probably never will, but the building material supply men and the lawyers and the courts know how it happened.

About six years ago Mr. Crawford bought a 50 foot lot from a local real estate dealer which was described as lot 2, block 26, North Belle Crest, and is located on East Sixty-seventh street, just north of Sandy Road, in one of the best developed districts of Rose City Park. It has cost him all told nearly \$1,000. By dint of economical living and hard saving he finally managed to pay for the lot.

Last September he put his lot in the hands of a real estate agent to sell for him. The agent advertised it and shortly thereafter William Durlinger, a speculative house builder, came to the agent's office to enquire about the lot.

He was given its location and went out to look at it. Returning to the agent's office Durlinger said that he would take the property and thereupon he deposited \$25 with the agent and took a receipt containing this clause, "This deposit received subject to the approval of the owner."

Immediately the agent communicated with Mr. Crawford, told him that he had a buyer for his lot and instructed him to get up the abstract.

When Mr. Crawford came to Portland a short time thereafter he went out to look at his lot, and was astonished to find a story and a half bungalow about two-thirds completed on the property. Durlinger had hurriedly built the house on the lot with no other evidence of title than this agent's receipt containing the clause, "Subject to the approval of the owner."

He had bought all of the building material on credit and owned some labor bills on the house. However, he had abandoned the building about November 5th, two days before Mr. Crawford first learned that he had a house on his lot. The result was that the house was plastered with about \$1,000 of liens. Mr. Crawford went into court to try and recover his property, but the court held that Mr. Crawford had failed to post a notice on the property, within three days after learning that a house was on it, notifying the public that he would not be responsible for material or labor furnished for any building erected on the lot.

The effect of the decision was that Mr. Crawford has lost his lot, although he has never received a dollar for it and has never signed a deed, while the house and lot is to be sold to satisfy the demands of the material dealers and the carpenters and other labor.

Notice of appeal has been given in

the case, but it is doubtful if the case will be carried to the higher court as Mr. Crawford recently remarked that he was already out nearly \$1,000 on the deal and that he had no more money to use in fighting for his rights.

If Mr. Crawford had posted a notice on the lot, when he first became aware that some one was building on it, disclaiming responsibility for material or labor furnished for the house, he would have saved his lot; but he waited a week before doing so, when the law requires that the notice be posted within three days. But he is an old man, and he didn't know all of the fine points of the lien law.

He knew that he had not sold his lot. He knew that somebody wanted to buy it, but he had not furnished an abstract, had not signed a deed covering the title, and, of course, he could not understand why it was necessary for him to post any kind of a notice.

Under the Oregon lien law a man's property can be taken away from him, say those who have watched the operation of the law, and all because the building material men are not required to notify the owner of a lot that they are supplying material for a house to be built on it. An effort was made to amend the law in the last legislature requiring material men to give this notice. The bill passed the house, but was quickly smothered in the senate at the instance of the building material dealers of Portland. It is probable that an amendment to the law will be on the ballot at the November election, making it impossible for a man to lose his property as Mr. Crawford has just been deprived of his.

State School Superintendent Plans Statewide Anti-Smoke Campaign.

State School Superintendent J. A. Churchill has taken up the cudgel against the cigarette habit among boys.

"Swat the cigarette," is to be his slogan hereafter.

Mr. Churchill has hit upon a plan he believes will be effective in making his blows against the evil count. He has made a ruling that no boy who smokes cigarettes will be eligible to win a capital prize in the school industrial contests.

These capital prizes, which will be offered in every county in the state this year, entitle the winner to a trip to the state fair, where they will establish a boys' camp and throughout fair week they will be royally entertained at the state's expense. The winners in the exhibits at the state fair will be awarded the grand prize of a trip to the Panama-Pacific Exposition in 1915.

So this boys' camp will be composed of "cigaretteless" boys, and Mr. Churchill has decided to award prizes to the boys who will compose the best anti-cigarette "yells."

His plan is to appeal to the pride of the boys as much as possible, and he believes he can make the movement a popular one that will sweep the state, as every county will be reached by means of the industrial contests. He lays emphasis on habit-building and says the cigarette habit is one of the worst with which boys have to contend.

Moose Have a Big Time.

Last Thursday evening the Moose of this city pulled off some lively stunts. The first thing on the program was four selections by the famous Moose Orchestra, under the able leadership of Professor Bert Downey. This orchestra has been making quite a hit throughout Polk County.

After the music three boxing contests were pulled off. The first was a three round contest between Professor Downey and Frank Morrison, it is said that both men as they appeared in the ring had the appearance of being overtrained. At the end of the third round, Referee Stockwell declared it a draw, but Morrison contended for the decision, claiming that he would have won only Downey fought so hard and fast and kept hitting him in the nose all the time.

Hughes and Darling next put on the gloves and Hughes looked like a feather-weight beside the 225 pounder. At the end of the bout all declared that they had a real "white hope" in Darling.

The last contest of the evening was between Coulson and Thompson, and it was nip and tuck from the start to the finish, both contestants showing marked ability. All the contestants swore vengeance on the time-keepers for stretching out the time.

The Moose expect to have something special at their meeting next week.

County Superintendent Seymour accompanied by State Superintendent J. A. Churchill of Salem and County Superintendent R. A. Cannon of Benton County visited the Bethel Schools Monday.

TEACHERS' MEETING

SCHOOL TEACHERS MEET AT INDEPENDENCE

Over a Hundred Present. Interest- ing and Instructive Session Held.

The first local Teachers' Meeting was held at Independence, Saturday, January 24th, with the best attendance we have ever had at a local meeting. Our aim was ONE HUNDRED TEACHERS PRESENT, and the result was several over the hundred.

The people of Independence assisted in the musical program as follows:—mixed quartette, Mrs. Padlock, Mr. McIntire and Mr. McIntire; Duet, Nellie Bramberg and Louise Baker; Drama, by the second grade pupils, "A Selfish Woman," violin solo, Miss Louise Larson; vocal solo, Miss Dorothy Padlock; violin solo, Miss Catherine Gentile.

E. F. Carleton, Assistant State Superintendent, gave an address on "Sonny" bringing out the individuality of the child. This was well received by all.

Professor E. L. Griffen of the Oregon Agricultural College gave an address on "The Boys' and Girls' Industrial Clubs of Oregon" outlining the plan as proposed by Superintendent Churchill and the Extension Department of the Oregon Agricultural College, showing the benefit to be derived from the different clubs organized throughout the state and the greater increase in interest shown by the children in the work, also mentioning the fact that Polk County was leading in the organization of the clubs, as there was some thirty or forty in the county at the present time.

Miss Rose Vreeland, the nurse sent out by the State Board of Health to inspect the school of the state, and who has been working in the county for sometime gave an excellent talk upon "Sanitary Conditions of Schools as they Should Be," and gave much valuable information to the teachers.

Dr. A. E. Winslip of Boston gave an address on "Teaching for Efficiency," bringing out some points that were greatly appreciated by the teachers. Dr. Winslip is an excellent speaker and brought many good things to the teachers of the county. Polk County teachers are congratulating themselves upon being able to have Dr. Winslip with them at this time. He also spoke of the interest being shown in the Home Credit Work now being done in Polk County by the Educators and others interested in education throughout the entire United States. All of the teachers united in expressing their thanks to Dr. Winslip for making the trip from Bellingham, Washington here on purpose for this Institute.

The following teachers were present:—Zena, Miss Marie Groves; Dallas, W. L. Ford, H. H. Dunkelberger, Miss Rose Sheridan, Miss Maude McDonald, Miss Pearl Horner, Mrs. Emma Jost, Miss Edna Morrison, Miss Lula Houk, Mrs. Edith Plank, Miss Nola Cond, Mrs. F. H. Morrison, Miss Sadie Lynn, Miss Cora Royster, Miss Agnes Clark, Miss Alta Savage; Red Prairie, Miss Alice Miles; Bridgeport, Mrs. Addie Holman; Salt Creek, W. E. Buell; Parker, Miss Crissie Bramberg; Fair View, Miss Mary Tapscott; Valley View, F. Silsbee; Monmouth, E. L. Kezard, Miss Armidilla Doughty, Miss Margaret McCookey, T. H. Gentle, Miss Alice McIntosh, Miss Catherine Arbutnot, Miss Grace Davis, Miss Olive L. Dawson; Orchards, Miss Carolyn Gohrke; Airlie, E. M. Hale, Mary Whitney, Miss Pearl Sneider, Mrs. Mary A. Ewing; Bethel, W. A. Johnson, Miss Phoebe Wyatt, Miss Ava Shields, Miss Daphne Richards; Polk Station, Miss Norma Holman; Oak Grove, Miss Louise Sears; Ward, Miss Edna Dammon; Perrydale, G. W. Montgomery, Miss Nellie Key, Miss Mary Wyatt; Coakran, Miss Roberta Ballard; Rickreall, F. S. Crowley; Oakpoint, Miss Anna M. Denny; Independence, C. F. Wallman, Mrs. C. F. Wallman, D. Chelev. Bones, Genevieve Tillery, Miss Mabel Galbreath, Miss Edith West, Miss Margaret Shinner, Miss Hazel Bohanan, Miss Kora Browne, Miss Ella Thacker, Miss Pearl Smith; Antioch, Mrs. E. R. Palmer; Brush College, Miss Almeida J. Fuller, Miss Helen Cook; West Salem, Miss Etta

White, Miss Orpha Bell; Buena Vista, R. G. Dykstra, Mrs. Bonnie Smith, Miss Mattie E. Lee; Popcorn, Mrs. Emma Walker; Upper Salt Creek, Miss Jessie Sinkins; Lincoln, Miss Edna B. Gray; North Dallas, Miss Veva Burns, Miss Beulah Balderie; Enterprise, Miss Edna Sweeney; Suver, Miss Olive Lembke; Crowley, Miss Delilah McDaniel; Greenwood, Mrs. Mattie E. Neal; Sunnyslope, A. J. Shipley; Concord, E. L. Boyer; McCoy, Miss Gladys Turner; Guthrie, Mrs. Audie Stone; Falls City, H. E. Barnhart, Alice Pimm, Miss Frances E. Cooper, Miss Etta Waters, Miss Ella Robinson, Miss Ina B. Graham, Miss Amy E. Anderson, Miss Caroline Romaine, Miss Edith Montgomery; Black Rock, Miss Isabel Snider; Pioneer, Miss Ella Mohring; Cherry Grove, Miss Daphne Henderson; Oakhurst, Mrs. Jessie Moyer; Mountainview, Miss Catherine Stewart; Hopville, E. L. McKee; Highland, Miss Helen Coffey; Broadmead, Miss Inez Ridgeway; No. 72,

Miss Carrie Evans; Oregon Normal School, Pres. J. H. Ackerman, J. B. V. Butler, E. S. Evenden, H. C. Ostien, L. P. Gilmore, Miss Rose Parrott, Miss Alabama Brenton, Miss Butler, Miss Hoham. There were also many students from the Normal School and some teachers from Linn and Marion Counties.

The next Teachers' Meeting will be a Twin Meeting, one held at Airlie, and one at McCoy on February 28th.

25 YEARS AGO LAST FRIDAY

(Extracts from The Daily Oregon Statesman of January 23, 1889.)

C. C. Doughty, editor of the Polk County Observer which is to be removed today from Monmouth to Dallas, is in the city on his way home from Portland. Doughty is certainly a good newspaper man and a restler and will give Dallas a good paper.



V. P. FISKE

Dallas New Postmaster.

Who will be Post Master of Dallas is a past issue as Mr. V. P. Fiske, editor and proprietor of The Itemizer held the pole that knocked off the valuable prize. The announcement of his appointment was received in Dallas last Friday. For several weeks the race narrowed down to three good men, Mr. Eugene Hayter, cashier of the Dallas National Bank was a strong favorite and Mr. Frank Fawk, a prominent hop and stock man of Salt Creek was also looked upon as a winner, but Mr. Fiske came under the wire first. It will be some time before Mr. Fiske can take active charge as the Red tape of securing a bond and having the same approved and checking in all takes some time. The Observer congratulates Mr. Fiske and as he has made a successful editor, he will without doubt make Dallas a Postmaster that will meet the approval of all.

Stiff Blow Sunday Evening.

Sunday evening gave us a frick wind and rain storm all along the coast, no damage was done here at Dallas but it was very uncomfortable. At Salem the wind took part of the roof off of the asylum building, at Eugene a large stock barn was blown down, at Junction City the water tank supplying the city water was destroyed, at Corvallis the big steel draw bridge over the Willamette was blown open, otherwise no damage, at Baker the court house and several other buildings damaged, at Roseburg Southern Pacific freight train wrecked, at Hood River the electric wires put out of commission, at Oregon City the locks were closed to traffic, at Portland many windows were smashed and other minor damages. The storm also done much damage in Washington and California, being one of the stiffest blows that has visited the Pacific Coast for years.

A Dog-on Story.

Several days ago County Superintendent Seymour sent a check to John Gruber of Willamina in payment for his services as school delegate.

A day or two later Mr. Gruber wrote Mr. Seymour that when he opened the letter containing the check, it fell on the floor and his dog made a dive for it and before he could take it from him he had swallowed the greater part of it and all he could save was the part that he had enclosed in the letter. Mr. Seymour wrote a duplicate check and sent it to Mr. Gruber telling him to trade his dog for a Republican dog, one that could read a check when he saw it.

The reason that J. C. Hayter was wearing that smile this morning, was the long delayed shipment of his Royal No. 10 typewriters have arrived.

The ladies of the Presbyterian Church will give a (whirl) at the home of Mrs. Sarah Bennett tomorrow afternoon.

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GOOD ROADS CONVENTION

ENTHUSIASTIC MEETING AT INDEPENDENCE

West Side Pacific Highway Planned at Meeting as Reported to the Ore- gonian.

The good roads convention, held at Independence Saturday afternoon and evening declared for the Pacific Highway being built on the west side of the Willamette River, or for two highways, if necessary. It also went on record in favor of constructing permanent hard surface highways on all main traveled roads in Polk County to connect with the Pacific Highway on the north and south. A large crowd attended the meetings.

If two roads along the river are constructed it was urged that one come out of Portland on the East Side and the other out South Fourth street to the Rex-Tigard road, then through Washington and Yamhill counties, and south through Polk and Benton counties, and connect with the other road at Eugene. From there one road south was urged.

Permanent Roads Urged.

The meeting was called to order by B. F. Swope of that city, who made a plea for building permanent roads in the county. H. Charles Dunsmore gave the welcoming address, on behalf of the citizens and the Commercial Club.

Professor Skelton of the Oregon Agricultural College, spoke on "Roads and Highways." He said in part: "I am in favor of building a highway on each side of the river, and of building these roads of the best material, making them the highest type of highway. I am in favor of macadam on the by-roads."

Bonding Plan Explained.

Major Henry L. Bowly, State Highway Engineer, then said that under the law passed at the last session of the Legislature, Polk County can bond for \$280,000.

"The Pacific Highway is not legal; it is only a road planned by the Pacific Highway Association, and the signs were put up by that association on what was then the best road through the valley," he said. "Oregon has two ways for a road through the Willamette Valley, and both will be improved. All automobiles that come to Portland will continue on any road as far as they are paved. If the paved road stops at Salem they will stop there and go back."

"Bonds could be sold for not less than 5 per cent, as has been proven by the counties that have already floated bonds."

On the subject of "Paved Highways—Will They Pay?" Thomas McCusker said:

"If Bourne's bill goes through Congress Oregon will get \$16,000,000. This money will build roads that will be feeders to the railroads and these will be used by the farmers. The present maximum capacity of automobile trucks is 12 tons, and most roads will not hold these loads. There are roads under prospect that will bring the automobile truck into more general use in the country. Good roads will bring the tourists."

"Mud Tax Enormous."

"There are hundreds of thousands of dollars spent on what is called the mud tax. It is estimated that the roads in Oregon cost \$24,000 per mile. Eighteen million dollars has been spent on Oregon roads, and of this amount \$17,000,000 has been wasted. Unless pavement is guaranteed for ten years it should have no consideration. I believe in the use of wood blocks treated with carbolineum."

A. J. Johnson of Corvallis said: "The time has come to start permanent road building. The farmer is entitled to good roads. We want all main highways permanently improved. Benton County either will make arrangements to float a bond issue or will levy a heavy tax each year until permanent roads are built. I am in favor of either state or Government aid, and think that they should do half of it. I think that if Polk County does float a bond issue that Benton County will not be far in the rear."

State Senator Hawley said: "I think that the Pacific Highway should come up the West Side. This is an automobile age, and the farmer must have them as a matter of necessity. The number of automobiles in the state is rapidly increasing."

W. V. Fuller, president of the Dallas Commercial Club, said: "I think that if we didn't do any-

thing we would get good roads sometime, but we are interested in what we get now; we must get our shoulders to the wheel. We shouldn't consider location, but everyone should work to the same end."

Railroad is Interested.

Mark Woodruff, publicity manager of the Portland, Eugene & Eastern Railway, said, in part:

"We pay more taxes than any one else in the county, but we are willing to pay more to improve your roads and general conditions. I believe that two highways are necessary—one on the east side of the river and the other out South Fourth street, in Portland, striking the Rex-Tigard road, then south through Washington County, Yamhill, Polk and Benton Counties, striking the other road at Eugene."

P. C. Bates of the Portland Commercial Club said:

"The attractions of this state are not utilized. There are 40,000 tourists in the City of Los Angeles. They are brought there by the advertisement of their climate. They have no scenery. We have just as good climate and wonderful scenery. The State of Washington has a highway across the state, but Oregon has done nothing but talk to date. On the east side of the Cascade Mountains there is a fine highway running from The Dalles to Klamath Falls, the worst part of which is better than the best part of the roads in the Willamette Valley."

Dallas High School Defeated

An exciting though somewhat disappointing basket ball game was played here between Dallas High School and Portland Weonas.

Although the Dallas team was defeated, it was not altogether through the superiority of the opposing team, for it was generally agreed upon by the spectators that the game was stolen by referee. Be that as it may, the fact remains that our boys did not get a chance to play because most of the time was taken up in foul throwing. The referee had nerve all right but it would be advisable for him in the future not to make fun of players after calling fouls on them.

The score stood 7 to 14 at the end of the first half and 18 to 22 the second. Individual scores were as follows:—Fred Gootch 1; Earnest Hoisington 0; Cat Woods 3; Ray Boydson 0; and Mac I. Ray, threw 1 out of 4 fouls, and Cat threw 7 out of 10 making the total 18.

There will be a game between the Dallas High School and Roseburg tomorrow night.

Dallas People in Auto Accident

According to the Oregonian, Mr. and Mrs. C. C. Law of Dallas were occupants of the automobile that was in a collision in Portland last week in which Oscar Edwards sustained injuries so seriously that he died the following day at the St. Vincent hospital.

Wonders Do Not Cease.

T. J. Cherrington called at the office of one of our prominent attorneys this week, and the general political issues of the day were discussed and Mr. Cherrington actually agreed with the said prominent attorney.

Rebekah Lodge.

Almira Hebekah Lodge No. 26 will hold its installation of officers on Friday evening, January 30th, at which time the President of the Rebekah Assembly will be present. All Rebekahs are invited to this meeting.

Ora Casper, secretary

ONLY 6 MORE DAYS

To the Observer's subscribers, better read the offer made in another part of this paper and take advantage of it and save money. It only lasts 6 days longer. If you are in arrears on your subscriptions you can make no better investment, so get busy.

Local Oratorical Contest.

The Oratorical Contest of the Intercollegiate Prohibition Association of Dallas College will be held Friday evening, January 30th, 1914, at 8 p. m. in the United Evangelical Church. The admission will be FREE!!!

Prepared to Wed.

Our County Clerk went to Independence today, carrying with him a marriage license made out for Ivy G. Burton and Asa R. Robinson, both of Independence. We judge that this means a wedding at Independence although he made no announcement.

Election of Church Officers

The following were elected at the annual business meeting of the Dallas Baptist Church.

F. E. Davis, clerk; Edward J. Himes, treasurer; Miss Flora Miller, organist; F. E. Davis, trustee, 3 year term; Miss Flora Miller, Sunday school superintendent; Mrs. John McFee, assistant Sunday school superintendent.